

REMARKS

Status of the Claims

Claims 1, 13, 26 and 34 are pending in this application. Claims 24 and 25 have been canceled in this paper. No claims have been added. Claims 1, 13 and 34 have been indicated as allowable in the Office Action. Claim 26 has been amended to recite only epilepsy and pain. No new matter has been added by the above claim amendments. Moreover, Applicants submit that no new issues requiring further search or consideration have been raised by the above claim amendments. The above claim amendments place the claims in condition for allowance as suggested by the Examiner in the Office Action.

Rejections under 35 USC 112, first paragraph

The Examiner maintains the rejection of claims 24-26 as not enabled by the specification for treating nerve degeneration generally. At page 3, line 12, the Examiner states that claims 24-26 are enabled for epilepsy and pain. As such, Applicants cancel claims 24 and 25, which were directed to the nerve degeneration generally and amend claim 26 to recite only epilepsy and pain. Applicants reserve the right to pursue the broader method of treatment claims in a continuation application. In light of the above claim amendments, Applicants submit that the enablement rejection is overcome and should be withdrawn.

Conclusion


As Applicants have addressed and overcome all rejections in the Office Action, Applicants respectfully request that the rejections be withdrawn and that the claims be allowed.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Kecia Reynolds (Reg. No. 47,021) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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